

### **REMARKS**

In response to the Final Office Action mailed June 29, 2010, the Assignee respectfully requests reconsideration. To further the prosecution of this application, each of the objections and rejections set forth in the Office Action has been carefully considered and is addressed below. The application as presented is believed to be in allowable condition.

#### **I. Rejections Under 35 U.S.C. §103**

The Office Action rejects claims 1-8, 13, 14, and 17 (including independent claims 1, 2, and 7) under 35 U.S.C. §103(a) as purportedly being obvious over International Patent Application Publication No. WO 01/31634 ("Mishelevich") in view of U.S. Patent No. 6,314,397 ("Lewis") and U.S. Patent No. 6,374,214 ("Friedland"). In view of the remarks herein, the Assignee respectfully requests reconsideration.

#### **A. Overview of Some Embodiments**

Speech recognition and correction systems operate to transcribe spoken text into recognized text and some systems recognize and correct errors within words and word sequences during transcription (Specification, page 1, lines 15-17). The specification evidences an appreciation that such systems may be improved by storing a lexicon of alternatives on a correction device, such that the correction of texts recognized by a speech recognition system can be carried out in a more simple and rapid manner (Specification, page 3, lines 32-34). Entries in the lexicon of alternatives are created at least in part from sources of knowledge that are independent from the transcription performed by the speech recognition device (Specification, page 4, lines 5-8). Furthermore, the contents of at least some of the entries in the lexicon of alternatives are updated based on at least one previous correction made by the correction device (Specification, page 6, lines 5-7). For example, the number of times that a text element is replaced by another element, or the phonetic similarity of a text element and its replacement during a previous correction may be used to update the contents of one or more entries in the lexicon of alternatives (Specification, page 10, lines 8-24).

The foregoing summary is provided to assist the Examiner in appreciating some applications for various aspects of the invention. However, this summary may not apply to each of the

independent claims, and the language of the independent claims may differ in material respects from the summary provided above. Thus, the Assignee respectfully requests that careful consideration be given to the language of each of the independent claims and that each be addressed on its own merits, without relying on the summary provided above. In this respect, the Assignee does not rely on the summary provided above to distinguish any of the claims over the prior art. Rather, the Assignee relies only upon the arguments provided below.

B. The Purported Combination of Mishelevich, Lewis, and Friedland Fails to Disclose or Suggest All Limitations of Any of Independent Claims 1, 2, and 7

i. *Independent Claim 1*

Claim 1 includes limitations that recite, "... a correction device configured to: correct the recognized text, said correction device being connected to the at least one speech recognition device via a data communications medium for the transmission of the recognized text and/or of the spoken text; store a lexicon of alternatives, the lexicon of alternatives comprising a plurality of entries; **display at least some of the plurality of entries as a list of alternatives to individual word parts, words and/or word sequences of the recognized text; and update the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence.** (emphasis added)." Neither Mishelevich, Lewis, nor Friedland discloses or suggests the above-highlighted limitations of claim 1.

The Office Action concedes that both Mishelevich and Lewis fail to teach this limitation, but asserts that Friedland at col. 7, lines 10-25 and Fig. 5 teaches this limitation (Office Action, page 4). The Assignee respectfully disagrees. The cited portion of Friedland is directed to limiting the number of "excluded" text phrases stored in memory during a correction sequence for a particular word or phrase (Friedland, col. 7, lines 10-25). For example, if the number of stored excluded text phrases is limited to two, each additional text phrase beyond two replaces the excluded text stored earliest in memory in a FIFO manner (Friedland, col. 7, lines 17-21).

In the system of Friedland, excluded text phrases are not included in a list of alternate text selections determined by the system in response to a re-dictation of a spoken utterance (Friedland, col. 5, lines 43-50). The system of Friedland uses an algorithm to select a replacement text from the list of alternate text selections (Friedland, col. 5, lines 59-60). By excluding previous misrecognized text selections from the list of alternate text selections, the system of Friedland is prevented from repeatedly recognizing a spoken utterance as the same unintended phrase (Friedland, col. 5, lines 55-57).

Claim 1 recites, *inter alia*, “...**display** at least some of the plurality of entries as a list of alternatives to individual word parts, words and/or word sequences of the recognized text ... (emphasis added).” The list of alternate text selections in the system of Friedland is not displayed, as required by claim 1. Rather, Friedland states that the list of alternate text selections are identified (Friedland, col. 5, lines 43-45), and an algorithm is executed to select the replacement text from the list (Friedland, col. 5, lines 59-60).

Furthermore, even if the list of alternate text selections in the system of Friedland was displayed, which it is not, the list of alternate text selections in the system of Friedland does not “update the list of alternatives ... based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence,” as recited in claim 1. As described above, in the system of Friedland, the number of excluded text phrases stored in memory (which are not included in the list of alternate text selections) may be limited (Friedland, col. 7, lines 10-25). However, for each input utterance, the list of alternate text selections in the system of Friedland is created using speech recognition and statistical modeling techniques and the excluded text phrases stored in memory are removed from the list, if present (Friedland, col. 5, lines 43-49).

As should be appreciated from the foregoing, the list of alternate text selections in the system of Friedland is not updated based, at least in part, on a number of times that the correction device previously corrected the particular individual word part, word, and/or word sequence. Rather, the identity of the excluded text phrases stored in memory in the system of Friedland is dependent on the number of times that a phrase has been re-dictated.

For at least these reasons, claim 1 patentably distinguishes over the combination of Mishelevich, Lewis, and Friedland and it is respectfully requested that the rejections under 35 U.S.C. §103 be withdrawn.

*ii. Independent Claim 2*

Claim 2 is directed to a correction device and recites, "...at least one processor configured to: display at least some of the plurality of entries as a list of alternatives to individual word parts, words and/or word sequences of the recognized text; and update the list of alternatives for at least some of the plurality of entries in the lexicon of alternatives displayed for a particular individual word part, word, and/or word sequence based, at least in part, on information about at least one previous correction made by the correction device for the particular individual word part, word, and/or word sequence, **wherein the list of alternatives is updated only when at least a predetermined degree of phonetic similarity exists between the particular individual word part, word, and/or word sequence and a text replacement in the at least one previous correction** (emphasis added)." Neither Mishelevich, Lewis, nor Friedland discloses or suggests the above-highlighted limitation of claim 2.

The Office Action concedes that both Mishelevich and Lewis fail to teach this limitation, but asserts that Friedland at col. 7, lines 10-25, Fig. 4, step 64a, and Fig. 5 teaches this limitation (Office Action, page 5). However, as discussed above, col. 7, lines 10-25 and Fig. 5 of Friedland are directed to limiting the number of "excluded" text phrases stored in memory during a correction sequence for a particular word or phrase (Friedland, col. 7, lines 10-25). Furthermore, step 64a in Fig. 4 of Friedland is not related to updating a list of alternatives. Rather, step 64a in Fig. 4 of Friedland is directed to an algorithm that identifies acoustic characteristics for a re-dictated utterance to determine whether the user is intending to change the text completely rather than correct it (Friedland, col. 6, lines 24-33).

As should be appreciated from the foregoing, claim 2 patentably distinguishes over the combination of Mishelevich, Lewis, and Friedland and it is respectfully requested that the rejection under 35 U.S.C. §103 be withdrawn. Claims 3-6 depend from claim 2 and are allowable for at least the same reasons.

*iii. Independent Claim 7*

Claim 7 recites, "...including the text elements that can be confused with one another as a list of alternatives in the entry of the lexicon of alternatives; **wherein the list of alternatives in the entry is updated based, at least in part, on whether a frequency of at least one previous correction of the recognized text is within predetermined bounds** (emphasis added)."

The Office Action concedes that both Mishelevich and Lewis fail to teach this limitation, but asserts that Friedland at col. 7, lines 10-25 and Fig. 5 teaches this limitation (Office Action, page 6). However, as discussed above, the cited portions of Friedland do not relate to updating a list of alternatives based, at least in part, on whether a frequency of at least one previous correction of the recognized text is within predetermined bounds.

Accordingly, claim 7 patentably distinguishes over the combination of Mishelevich, Lewis, and Friedman and it is respectfully requested that the rejection under 35 U.S.C. §103 be withdrawn. Claims 8-17 depend from claim 7 and are allowable for at least the same reasons.

II. General Comments on Dependent Claims

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, for the sake of brevity, the Assignee believes that it is unnecessary at this time to argue the further distinguishing features of the dependent claims. However, the Assignee does not necessarily concur with the interpretation of the previously presented dependent claims as set forth in the Office Action, nor does the Assignee concur that the basis for rejection of any of the previously presented dependent claims is proper. Therefore, the Assignee reserves the right to specifically address the further patentability of the dependent claims in the future.

**CONCLUSION**

In view of the above amendment, the Assignee believes the pending application is in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, the Assignee hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed, or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. N0484.70060US00 from which the undersigned is authorized to draw.

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Respectfully submitted,

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